IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5259 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA
and
Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DEERGHAVI CHEMICAL INDUSTRIES

Versus

GUJARAT POLLUTION CONTROL BOARD

Appearance:
MR MIHIR H JOSHI for Petitioner
MR HARESH J TRIVEDI for Respondent No. 1

CORAM : MR.JUSTICE M.R.CALLA
and
MR.JUSTICE R.R.TRIPATHI

Date of decision: 14/06/2000

ORAL JUDGEMENT(per M.R. Calla, J.)

Rsule. Mr.H.J.Trivedi waives the service of Rule.

Mr.Trivedi has submitted that the closure order which was impugned in this petition has already been revoked by order dated 12th June 2000 and therefore, for that purpose, nothing survives. It appears from the order passed by this Court on 1st June 2000 while issuing the notice during Vacation that the Gujarat Pollution Control Board was further directed to consider the application of the petitioner for consent under Water Act, filed on 30th May 2000 afresh. Mr.Trivedi submits that this application shall also be considered in accordance with law and the directions as given by this Court on 1st June 2000 as it is the common case of the parties that the Unit in question is not covered by the directions issued by this Court in Special Civil Application No. 4473/97. Ordered accordingly. This Special Civil Application is accordingly allowed in part as above. Rule is made absolute to the above extent. No order as to costs.

(M.R. Calla, J.)

(R.R. Tripathi, J.)

Sreeram.